

## ISSUE SUMMARY:

**Direct Implementation of Clean Water Act responsibilities in Massachusetts and New Hampshire:** Region 1 implements the CWA NPDES program in these two states. This work includes issuance of permits and assuring compliance with CWA requirements across thousands of regulated facilities. Region 1 issues individual and general NPDES permits for point source dischargers in these states. There are approximately 300 individual permits and seven EPA issued general permits. The Region is committed to an ambitious plan to reduce the backlog of expired NPDES permits in Massachusetts and New Hampshire. Implementing this program, including staffing to address legal challenges remains a challenge. Region 1 also handles appeals of the Region's permits before the Agency's Environmental Appeals Board; this is a major resource demand in the Office of Regional Counsel. Region 1 manages the data system that allows more than 1,000 permit holders to submit required reports electronically; reviews monthly monitoring data submissions and quarterly and annual reports from facilities; and provides technical assistance to permit holders. The Region keeps MA and NH informed regarding enforcement of these permits. Region 1 provides compliance assistance to the regulated community, conducts compliance inspections and pursues enforcement, including the assessment of fines, for violations. As part of that effort, Region 1 oversees complex, long-term, multi-million-dollar water infrastructure projects implemented to reduce the impacts of sewer overflows to waters used for drinking, fishing and swimming. New integrated planning provisions for these municipalities has resulted in renegotiation of consent decrees, a significant effort. Region 1 commits significant resources to enforcement of the municipal, construction and industrial stormwater permits.

## UPCOMING MILESTONES:

The national compliance initiative aimed at reducing significant non-compliance in the universe of NPDES facilities requires ongoing effort. Region 1 has maintained the lowest significant non-compliance rate in the nation, and this will take ongoing focused effort. Region 1 is currently negotiating with several municipalities seeking approval of wastewater infrastructure work under integrated plans. The Region through a combination of permit issuances, terminations as needed, and general permits, hopes to reduce the current backlog from 222 to 150 by the end of FY21. The region is committed to achieving what it terms as "steady state," which is having approximately the same number of permits expire and issued each year. This is a long-term goal expected to be achieved by the end of FY24.

## BACKGROUND:

Two of the three states that have not taken authorization of the CWA are located in New England, meaning that EPA must implement the NPDES program in these states.

## KEY EXTERNAL STAKEHOLDERS:

<input type="checkbox"/> Congress	<input checked="" type="checkbox"/> Industry	<input checked="" type="checkbox"/> States	<input checked="" type="checkbox"/> Tribes	<input checked="" type="checkbox"/> Media	<input checked="" type="checkbox"/> Other Federal
Agency	<input checked="" type="checkbox"/> NGO	<input checked="" type="checkbox"/> Local Governments	<input checked="" type="checkbox"/> Other		

## MOVING FORWARD:

Although both states have developed committees to study the possibility of assuming program authorization, neither New Hampshire nor Massachusetts are moving towards taking authorization, so the Region 1 responsibilities will continue.

LEAD OFFICE/REGION: REGION 1

OTHER KEY OFFICES/REGIONS: